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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,681	03/30/2001	Alyosha C. Molnar	050321-1850	6109

24504 7590 06/18/2003

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EXAMINER

SOBUTKA, PHILIP

ART UNIT PAPER NUMBER

2684

DATE MAILED: 06/18/2003

1/2

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED

RESPONSE DUE 9/18/03

THOMAS, KAYDEN  
HORSTEMEYER & RISLEY, LLP

JUN 23 2003

# Office Action Summary

Application No.

09/823,681

Applicant(s)

MOLNAR ET AL.

Examiner

Philip J. Sobutka

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### Claim Rejections - 35 USC § 103

1. Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rose et al (US 5,297,203) in view of Newman et al (US 5,705,940).

Consider claims 1,3-7,9-15, Rose teaches a wireless communication device comprising: an interface between the baseband control logic IC and the RF operation portions (Rose see especially fig 10), the wireless device having a standby mode (Rose col 25, lines 4-20). Note that Rose teaches a power saving mode which corresponds to the claimed shut down mode (Rose fig 36, col 3, lines 45-52, col 11, lines 25-45, col 28, lines 1-15, col 30, lines 47-65). Rose lacks a teaching of the interface including data latches and level shifters to convert the voltage between the control section and the operation portions. Newman teaches an IC interface including data latches and level shifters to convert voltage between control and operation sections (Newman see especially col 4, lines 4-32, col 8, lines 49-68, col 11, lines 16-35). Newman teaches that this arrangement allows lower power dissipation and for the circuitry to be fabricated on a common substrate (Newman col 3, line 55 – col 4, line 3). It would have been obvious to one of ordinary skill in the art to modify Rose to use the interface arrangement of Newman in order to provide lower power dissipation and for the circuitry to be fabricated on a common substrate.

As to claims 2,16,24, Rose in view of Newman lack a teaching of a second level shifter. It would have been obvious to one of ordinary skill in the art to provide a level shifter for each component to be controlled.

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As to claim 8,17,25, note that Rose's component includes a synthesizer (Rose, see especially fig 11, item 147, col 22, lines 48-64).

As to claims 18-23, the system of Rose in view of Newman would perform the claimed steps.

As to claims 26-33, Rose in view of Newman teaches everything claimed except for storing the method on a computer readable medium. Official Notice is taken that it is notoriously well known in the art to store methods on computer readable medium in order to allow for the methods to be easily updated and loaded on different systems. It would have been obvious to one of ordinary skill in the art to modify Rose in view of Newman to store the method on computer readable media in order to allow the method to be easily updated and loaded on different systems.

### **Response to Arguments**

2. Applicant's arguments filed 9-30-02 have been fully considered but they are not persuasive.

Note that upon further consideration, it has been determined that Rose does indeed teach a power saving mode. The claimed "shut down mode" would not seem to distinguish over the power saving mode.

### **Conclusion**

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Sobutka whose telephone number is 703-305-4825. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Philip Sobutka

Pjs  
June 13, 2003

  
NAY MAUNG  
PRIMARY EXAMINER